

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
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ROLL NUMBER

DESCRIPTION

3003

2001 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HCR 3003

## 2001 HOUSE STANDING COMMITTEE MINUTES

### BILL/RESOLUTION NO. HCR 3003

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 01-11-01

Tape Number	Side A	Side B	Meter #
1	x		718 -1581
Committee Clerk Signature <i>Lisa Horner</i>			

Minutes:

Representative M. Klein, Chairman of the GVA Committee opened the hearing on HCR 3003 directing the Legislative Council to study and develop a legislative redistricting plan or plans for use in the 2002 primary election.

John Bjornson, Testified in favor of HCR 3003. The state recently released the population figures of 642,000 for the entire state. We do not have broken down figures for the census block.

Therefore there would be very little time for the legislative assembly to address redistricting concerns. There was an interim study after the 1981 and 1991 sessions where a committee addressed redistricting, developed plans and submitted them to a special session in November of 1981 and 1991. This resolution is a similar process, where after the assembly adjourns in April, the Legislative Council will set up a committee to deal with the detailed subject numbers that are given to us in March, and develop a plan that could be implemented in time to be used for the primary election of 2002. This should be in place by the end of the year.

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House Government and Veterans Affairs Committee

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Rep. Klein, This follows the normal procedure that has been going on after every census. Is this very similar to what's been going on?

John Bjornson, This is what happened in 1981 and 1991. Prior to that time nothing was considered normal procedure. From the 1930's to the 1960's there was very little done by the legislative council to redistrict. For about 10 years after that the state was essentially in litigation. Beginning in 1981, as standard procedure the 81 plan was put in place. As there were more challenges, the 1991 plan was put in place by the reconvened session in November of 1991.

Rep. Klemm, Does the legislature hire a consultant?, or what do they do?

John Bjornson, In 1981 and 1991 the legislative council did hire a consultant. They have purchased software that works very well.

Rep. Klein, Closed the hearing.

Committee discussion:

Rep. Kasper, Who is on these committees?

Rep. Klein, To the best of my knowledge they have always been legislatures.

John Bjornson, The legislative council appoints a committee consisting of 16 members, eight members from each house and party.

Rep. Grande, Made a motion for a DO PASS on HCR 3003.

Rep. Kasper, Seconded the motion.

Motion Passes 15 - yes, 0 - no, To be placed on the consent calendar.

Rep. Bellevue will carry the bill.

HCR 3003

Date: 01-10-01

Roll Call Vote #: 1

**2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.**

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Subcommittee on \_\_\_\_\_

or

☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Vice Chair Grande moved a do pass

Motion Made By Rep Grande Seconded By Rep Kasper

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	X		REP KROEBER	X	
VICE CHAIR GRANDE	X				
REP BELLEW	X				
REP BRUSEGAARD	X				
REP CLARK	X				
REP DEVLIN	X				
REP HAAS	X				
REP KASPER	X				
REP KLEMIN	X				
REP MEIER	X				
REP WIKENHEISER	X				
REP CLEARY	X				
REP HUNSKOR	X				
REP METCALF	X				

Total (Yes) 15 No 0

Absent \_\_\_\_\_

Floor Assignment Rep Bellew

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 12, 2001 11:09 a.m.

Module No: HR-03-0929  
Carrier: Bellow  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HCR 3003: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)**  
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (16 YEAS,  
0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3003 was placed on the Tenth order  
on the calendar.

2001 SENATE GOVERNMENT AND VETERANS AFFAIRS

HCR 3003


## 2001 SENATE STANDING COMMITTEE MINUTES

### BILL/RESOLUTION NO. HCR 3003

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date January 25, 2001

Tape Number	Side A	Side B	Meter #
I		X	1.8-26.8
January 26, Tape I		X	26.8-46.0
Committee Clerk Signature 			

Minutes: Chairman Krebsbach opened the hearing on HCR 3003. Appearing before the committee was Jay Buringrud with the Legislative Council. He indicated that this resolution was recommended by the Legislative Management Committee. The committee conducted a study of legislative redistricting. Basically the status of the law on redistricting is that not much has changed with respect to allowable population deviation. It's usually around 10 % that is the permitted amount. What this does, it establishes or provides a legislative council study and a proposal of legislative redistricting plans for use in the 2002 primary election. It is almost identical to the resolution passed in 1991. Senator C. Nelson, so this is the vehicle by which some group gets appointed to, I think there were like 20 people on it last session, in 1991 when we went through this whole process. I guess the background on what they've done so far, have they actually asked for bids from people like, Mr. Hickock did it last time. I know I got some maps in the mail the other day, about 40 boxes of them and a CD with all sorts of maps and stuff. But, what has happened so far? Mr. Buringrud indicated what has happened is back in about

1996, the legislative management of the census bureau contacted the legislative council to see if the legislative council was interested in participating in what they call a census boundary districting project and in the 1980's the legislative council participated in that because it was an opportunity for the legislature to establish boundary lines for certain areas where they would like some enumeration districts of the smallest districts in which population was counted by the census bureau. Usually that is at the township level but in the western part of the state that it's relatively disorganized out there. So they contracted with Mr. Hickock, a geographer at UND to go out and come up with distinct boundary lines that the census bureau enumerators could use such as high lines down a quarter section line or a river or something that could be distinct. He did that, worked with legislators in those areas to develop what could be used as boundary lines. Phase two of the project was putting those lines on the map. In 1991 when the legislature did engage in redistricting the information coming back from the census bureau did use township lines as well as those boundary divisions. In 1996 the census bureau again contacted the legislative council whether this would be necessary to participate and the legislative council said yes. We can do that, use the same things that were used in 1986 and 88 because the boundaries hadn't changed much. They wrote back and asked how about do you want get population figures for the current legislative districts and precincts. The legislative council at first said no that's not relevant because the districts of North Dakota are not built on local voting precincts they are built on census blocks and when they are established the political subdivisions then go back and redo their precincts. One of the original decisions made last interim. The census bureau is going to provide information for population for current legislative districts. Which leads up to what did the committee do this last interim? The committee reviewed various software packages that have been developed. Mr. Hickock was hired at a time when very few software packages were

developed. The committee decided to acquire a software package. The software package acquired was Auto bound which is used by the majority of states. We have that now and we are getting one or two people on our staff trained on it. It uses the census information on disc, if you have your existing districts loaded into that software it will give you the population of the districts. It has a lot of features that we haven't really used yet. The computer will come up with a plan for you based on the parameters that are loaded. Whether that is good or bad, the options are there on that software and that works very well. Right now we are still in the learning mode on that. The committee acquired the software, acquired at least the one license for it and the decision would be made during this interim at least that was the thought of the legislative management committee. Once the redistricting committee is appointed, the decision of how many licenses would be acquired would be made. Chairman Krebsbach inquired if it is sophisticated enough to take it and say what would happen if we increased districts or decreased districts? Mr. Buringrud, basically what it is once you have your districts loaded you can sit there and it's almost like a drag and click. You can take a pen and just draw along the districts and it will redo the districts for you and give you a new figures information with respect to all other districts that are affected by it. It's pretty slick stuff. Senator T. Mathern inquired what the cost is for a license for that software. Mr. Buringrud indicated that he couldn't remember exactly what the initial cost was. He thought it was in the area of \$2,500.00. This company allows a savings for the more licenses you would get the cheaper per unit cost it would be. Senator C. Nelson asked a question about vacancies. What constitutes a vacancy in office and what happens after in November of this year the legislature passes the new districts and some of us may find ourselves no longer in the district and by definition is that vacant. What did we do last time to assure that people kept representing their existing district up until the next December 1, when the

new set of people would take office? Or do we all become vacant and have to go through the process of being re, I mean it could be mass chaos. Mr. Burlingrud I believe if I remember correctly that the redistricting plan last time provided for if your district changed I believe 10% in population, if it was less than 10% you stayed in office. Senator C. Nelson offered another inquiry about district changes. Mr. Burlingrud responded to her that you are still in office. Your office isn't deemed vacant. For example the legislature comes back here in November in special session and adopts a new redistricting plan and it goes into effect right away so that the parties can be organized as it applies to the primary election. You are still in office until the following December 1. Senator C. Nelson posed another question and Mr. Burlingrud responded. Senator Wardner offered some observations of his own on the subject. Senator Dever offered questions at this time. Mr. Burlingrud responded. Further discussion ensued with Senators Dever and Kilzer offering questions. There was no further testimony or questions offered at this time. Additional questions and comments were offered by Senators Krebsbach and C. Nelson. There was nothing further. The hearing was closed on HCR 3003 at this time. A discussion ensued about sub districts possibly being included in this study. Senator T. Mathern talked to the committee about possibly amending this bill to include sub districts. Comments were offered by Senators Dever, Kilzer, Krebsbach, and C. Nelson. It was decided to leave this open for now allowing for further discussion. The committee was adjourned at this time. Chairman Krebsbach reopened the discussion on HCR 3003 (January 26, 2001, Tape 1, side B Meter #'s 26.8 to 46.0) Senator T. Mathern indicated had two proposed amendments to HCR 3003. The first amendment would be on page after line 14 we would insert another further resolved and basically would ask the legislative council to take into consideration sub districts for the house of representatives in proposals brought to the legislative assembly. I thought of an amendment that

said there shall be house sub districts but thought that would be too restrictive. This amendment basically says in their deliberation process this is one of the issues they should be looking at. I thinks this has some merit but this doesn't direct another outcome for that. The second amendment that he has basically puts the month in when there would be a report. It would be on line 17 in November 2001. Basically this would clarify when this report will be done. The rationale for that would be that people have to plan for this. I think it would be good if the legislature before it adjourns now basically telling everybody when we are going to do this work without saying what day or whatever. I think it is within the confines of what everybody is talking about. It would just make it clear when this work should be ended. Senator T. Mathern then moved the adoption of amendment number one, seconded by Senator C. Nelson. Senator T. Mathern indicated that he believes we are in a situation now wherein the house and senate are too similar for long term good government in terms of getting different kinds of feedback from our citizens and considering sub districts for the house would create some difference between house members and senate members in terms of their communication with citizenry. I think it also adds the possibility that especially in those very large districts that they be subdivided such a way that there can be an easier way of house members campaigning where those areas. He also believes that the citizenry needs to see a difference or eventually they will eliminate one of the houses and I don't think that would be good for a check and balance system within the legislative branch of government. Senator Kilzer wondered if they could do this without this amendment. Senator T. Mathern indicated he believed they can but there is some quaidary over whether they should. I think this just sets the tone then for them that they ought to do it. Senator Dever inquired if perhaps this shouldn't be dealt with as a separate resolution. One of his frustrations in having been a candidate for the house three times is that you run for two seats at large and a good

candidate can pull a bad candidate through or a bad candidate can pull a good candidate down and I think the merit I see in this in our district geographically we don't have the same problem that do in some larger ones. I like this better. Senator T. Mathern indicated in terms of another resolution he believes it is easier if the legislative council gets one resolution dealing with the issues of redistricting. I think that is another issue that he is concerned stay together as much as possible. Senator Wardner and Senator Dever made some additional comments. At this time a Roll Call Vote was taken on the motion to adopt the first amendment. The vote was 6 Yeas, 0 , Nays, and 0 Absent or Not Voting. Senator T. Mathern continued with his second amendment. He indicated that he has had a couple of conversations with the leadership and he was pretty comfortable with what they told him and he's not going to move the second amendment. Senator C. Nelson expressed some personal concerns she had about when this would be done. Senator Wardner made some personal comments as well. Senator T. Mathern made a motion for a Do Pass as Amended on HCR 3003, seconded by Senator Wardner. Roll Call Vote indicated 6 Yeas, 0 Nays, and 0 Absent or Not Voting. Senator Wardner will carry the resolution. The meeting was adjourned.

Proposed Amendments to HCR 3003  
Prepared for Senator T. Mathern 1/25/01  
Amendment #1

Page 1, after Line 14 insert

**"Be it further resolved,** that the Legislative Council take into consideration subdistricts for the House of Representatives in proposals brought to the Legislative Assembly; and"

Proposed Amendments to HCR 3003  
Prepared for Senator T. Mathern 1/25/01  
Amendment #2

Page 1, Line 17, after "Assembly" insert "in "November 2001"

Date: 1/26/01  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 3003

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 13012-0101

Action Taken Adopt Amendment #1

Motion Made By Sen. T Mathern Seconded By Sen C Nelson

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator Carolyn Nelson	✓	
Senator Dick Dever, Vice-Chr.	✓		Senator Tim Mathern	✓	
Senator Ralph Kilzer	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 1/26/01  
Roll Call Vote #: 2

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. HCR 3003**

**Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee**

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass As Amended

Motion Made By Sen. T. Mathern Seconded By Sen. Wardner

[illegible]

Total (Yes) 6 No 0

**Absent**

Floor Assignment Sen. Wardner

**If the vote is on an amendment, briefly indicate intent:**

**REPORT OF STANDING COMMITTEE (410)**  
**January 29, 2001 11:46 a.m.**

**Module No: SR-15-1815**  
**Carrier: Wardner**  
**Insert LC: 13012.0101 Title: .0200**

**REPORT OF STANDING COMMITTEE**

**HCR 3003: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3003 was placed  
on the Sixth order on the calendar.

Page 1, after line 14, Insert:

**"BE IT FURTHER RESOLVED,** that the Legislative Council take into  
consideration subdistricts for the House of Representatives in proposals brought to the  
Legislative Assembly; and"

Renumber accordingly

2001 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HCR 3003

CONFERENCE COMMITTEE

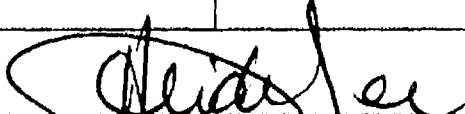
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3003

House Government and Veterans Affairs Committee

☒ Conference Committee

Hearing Date Feb. 14, 2001

Tape Number	Side A	Side B	Meter #
1	X		0-25.0
Committee Clerk Signature 			

Minutes: Rep M. Klein, Rep Meier, Rep Hunsakor, Sen. Dever, Sen. Wardner, Sen. T. Mathern

Rep M. Klein: looking at the Senate amendments. Consider not to concur, House did not agree.

Explained the amendments to Rep. Hunsakor.

Rep T. Mathern: Explained the amendments dealing with the redistricting. The committee appointed this for interim. The districts are exactly the same. The districts are getting too large.

We need to make it easier on the election process.

Rep Hunsakor: Made recommendations for Legislative Council.

Rep M. Klein: It's hard enough to get people to run in some districts.

Sen. Dever: This could make it easier to get people to run. Too big confuses voters.

Rep Meier: What are other states that do this?

Sen. Dever: Montana, Colorado, and Minnesota.

Rep Meier: I have some concern if the Rep lived in the city and was not rural.

Rep M. Klein: This is happening now.

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House Government and Veterans Affairs Committee

Bill/Resolution Number HCR 3003

Hearing Date Feb. 14, 2001

Sen. T. Mathern: That is why the amendments couldn't cut the district down the middle.

Sen. Wardner: HCR 3003 is necessary for consideration but I don't have strong feeling for this amendment.

Rep M. Klein: With 13,500 people in these districts, we could come up with a committee out of them, they wouldn't be tied.

Rep Hunsakor: What's the consideration?

Rep M. Klein: To run a separate campaign.

Sen. Wardner: There was talk that the House was opposed to the amendment. We'd have no problem for the Senate to recede to the amendment.

Sen. T. Mathern: That's not easy if there were sub-districts. This would be seen as limitation in the House.

Sen. Wardner: There will be redistricting. The points can be debated in the Interim Committee.

Sen. Wardner: I move that the Senate recede their amendments on HCR 3003.

Rep. Meier: I second.

5 yea, 1 nay , 0 absent

Carriers Rep M. Klein, Sen. Denver

Date: 2-14-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. *HCR 3003*

House	Committee
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☐ Subcommittee on

or  
☒ Conference Committee

Legislative Council Amendment Number

Action Taken Senate recesses from their amendments

Motion Made By Richardson Seconded By Reice

[illegible]

Total (Yes) 5 No 1

Absent

### Floor Assignment

**If the vote is on an amendment, briefly indicate intent:**

**REPORT OF CONFERENCE COMMITTEE (420)**  
February 15, 2001 11:11 a.m.

**Module No: HR-28-3479**

**Insert LC: .**

**REPORT OF CONFERENCE COMMITTEE**

**HCR 3003:** Your conference committee (Sens. Dever, Wardner, T. Mathern and Reps. M. Klein, Meier, Hunsakor) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 310 and place HCR 3003 on the Seventh order.

HCR 3003 was placed on the Seventh order of business on the calendar.

(Bill Number) HCR 3003 (, as (re)engrossed):

Your Conference Committee

For the Senate:

Sen. Sever  
Sen. Gardner  
Sen. J. Mathers

For the House:

Rep. M. Klein  
Rep. Meier  
Rep. Hunsaker

☒ recommends that the (SENATE) (HOUSE) (ACCEDE to) (RECEDE) from)  
723/724 725/726 8724/W726 8723/W725  
the (Senate) (House) amendments on (SJ) (HJ) page(s) 310 -

☒ and place <sup>HCR</sup>3003 on the Seventh order.  
727

☐ , adopt (further) amendments as follows, and place  
\_\_\_\_\_ on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed. 690/515

<sup>HCR</sup>  
((Re)Engrossed) 3003 was placed on the Seventh order of business on the  
calendar.

DATE: 2 14 01

CARRIER: Rep. M. Klein (House) Sen. Sever (Senate)

LC NO. \_\_\_\_\_ of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

(1) LC (2) LC (3) DESK (4) COMM.